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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,425	06/16/2008	Chul-Sik Yoon	1403-05	3776
66547 7590 11/01/2010 THE FARRELL LAW FIRM, LLP 290 Broadhollow Road Suite 210E Melville, NY 11747				
EXAMINER				
BIBBEE, CHAYCE R				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
11/01/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/581,425	Applicant(s) YOON ET AL.
Examiner CHAYCE BIBBEE	Art Unit 2617

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 October 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

/CHAYCE BIBBEE/
Examiner, Art Unit 2617

With regards to the rejection of independent claims 15, 22, 25, and 30 Applicant argues that the cited reference of Baum fails to teach or suggest the claim limitation "adding, to a map, information of the number of unit resources corresponding to each of the plurality of bursts; and transmitting the map to a subscriber station". Applicant argues that the cited sections of Fig. 5 and paragraphs [0034]-[0038] merely disclose mapping resource units to a downlink frame and then argues that the downlink frame does not include information on the number of unit resources. Examiner respectfully disagrees as mapping the unit resources to the downlink frame as disclosed by Baum can clearly read upon the broad claim language of "a map". Also Baum in paragraph [0034] clearly discloses a method of scheduling a number N resource units to each resource block in the frame which again can clearly read broadly upon the claim language of "information on the number of unit resources corresponding to each of the plurality of bursts".

With regards to independent claim 22 Applicant also argues that Baum fails to teach or suggest the claim limitation of adding a user identification corresponding to each of the plurality of bursts. Applicant argues that previously cited section paragraph [0047] where Baum discloses that information labeled with a broadcast user ID can be placed in the most robust of the resource units is not equivalent to the cited claim language. Examiner respectfully disagrees as paragraph [0047] is evidence that the invention of Baum is capable of adding user identification information to the mapping as described in paragraphs [0034]-[0038] which reads upon the claim language.

With regards to independent claim 34 Applicant argues that Baum fails to teach or suggest the claim limitations of (1) checking the number of unit resources allocated to the designated burst from the information on the designated burst, (2) searching the designated burst according to the number of unit resources to receive the designated burst, or (3) terminating the receiving operation when the designated burst is received. Examiner respectfully disagrees as Baum in paragraph [0031] discloses each sector is assigned a particular resource block, thus a designated burst, and that transmissions to mobile units will occur up to a point where all N resource units have been utilized. Therefore the mobile units would search and check the designated resource block for the number N resource units and when all N resource units have been utilized the receiving operation would terminate.